

Application No. 10/628,073
Amdt. dated Nov. 30, 2004
Reply to Office action dated Aug. 31, 2004

REMARKS

New claims 29-34 are added, and claims 1-12 and 29-34 are presently pending; claims 13-28 have been withdrawn.

The Examiner's objection to the specification has been corrected. In addition, the paragraph beginning at page 3, line 9, has been amended to clarify that the film is unwound from a roll of film and pulled over the folding ramp, which inclined at an angle of about 47 degrees to a longitudinal axis of the folding tunnel (as opposed to being at an angle of about 133 degrees to an upstream extension of a longitudinal axis of the folding tunnel).

The Examiner's indication that claims 3-8 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims is noted with appreciation. Claims 3-8 have been rewritten as new claims 29-34.

Claims 1, 2, 9 and 10 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 3,494,265 to Middour in view of U.S. Patent No. 4,517,790 to Kreager. The Applicant respectfully submits that claims 1, 2, 9 and 10, as presently recited, are not unpatentable over Middour in view of Kreager.

Neither Middour nor Kreager disclose a method having a step of feeding film over a film entrance surface to an entrance of a folding tunnel where at least a portion of the entrance surface is inclined at an obtuse angle to a longitudinal axis of the folding tunnel, as presently recited in claim 1, and by dependency in claims 2, 9 and 10. Instead, Middour discloses an acute angle between its preformer 12 and its tubular portion 11, as illustrated in Figure 2. Similarly, and as stated in the Office action, Kreager discloses an acute angle between its film former or shoe 40 and tube (generally indicated as 42).

Moreover, both Middour and Kreager disclose angles between their performer or shoe and tubular portions that are disclosed in the specification as being part of the prior art problem. See p. 1, II. 23-30; p. 2, II. 23-p. 3, II. 8; Fig. 17. Given that both Middour and Kreager disclose the use of an acute angle, as opposed to the obtuse angle between the entrance surface and the longitudinal axis of the folding tunnel

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presently recited in claim 1, it is respectfully submitted that their proposed combination will not result in the methods recited in claims 1, 2, 9 and 10.

Claims 11 and 12 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Middour and Kreager in view of U.S. Patent No. 3,838,549. Given the above discussion of Middour and Kreager with respect to claim 1, from which claims 11 and 12 depend, it is respectfully submitted that claims 11 and 12 are not unpatentable over the cited references.

For the reasons set forth above, claims 1-12 are believed to be allowable, and reconsideration and allowance of claims 1-12, along with claims 29-34, are respectfully requested.

Please charge any fees required by this amendment to Deposit Account No. 06-1135.

Respectfully submitted,

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